

REMARKS

Applicant acknowledges with appreciation that the Examiner has allowed independent claims 6 and 7. Applicant is amending independent claim 1 to include limitations that are similar to limitations that already are present in independent claims 6 and 7. Therefore, the amendments to independent claim 1 do not require an additional search, and no new matter is added by the foregoing amendments, and these amendments are fully supported by the specification. Reconsideration of the above-captioned patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner rejected claims 1-5 under 35 U.S.C. § 103(a), as allegedly being rendered obvious by U.S. Patent No. 6,594,505 B1 to Ishii in view of U.S. Patent No. 6,731,957 B1 to Shamoto *et al.* ("Shamoto"). Applicant respectfully traverses this rejection, as follows.

In the Office Action mailed November 17, 2004, in the above-captioned patent application, the Examiner acknowledged that neither Ishii nor Shamoto disclose or suggest that the first processing means may have stored therein the program code that is common to both portable telephone systems, and the second processing means may have stored therein the program code that is unique to the first portable telephone system and the program code that is unique to the second portable telephone system. See, e.g., Office Action, Page 10, Lines 23-29. However, the Examiner asserts that while these limitations are recited in independent claims 6 and 7, these limitations are not recited in independent claim 1.

Applicant has amended independent claim 1 in order to clarify that the first processing means has stored therein the program code that is common to both portable telephone systems, and the second processing means has stored therein the program code that is unique to the first portable telephone system and the program code that is unique to the second portable telephone system.

As acknowledged by the Examiner, neither Ishii nor Shamoto disclose or suggest that the first processing means has stored therein the program code that is common to both portable telephone systems, and the second processing means has stored therein the program code that is unique to the first portable telephone system and the program code that is unique to the second portable telephone system, as set forth in amended, independent claim 1. Therefore, Applicant respectfully requests that the Examiner withdraw the obviousness rejection of independent claim 1 at least for this reason.

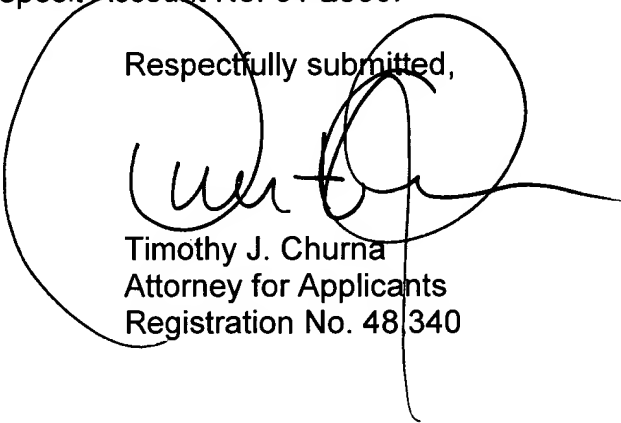
Moreover, because independent claims 6 and 7 already include limitations that are similar to the limitations that Applicant has added to independent claim 1, Applicant respectfully submits that the Examiner should not require that Applicant file a Request for Continued Examination in order to have the above-described amendments to independent claim 1 entered in this application.

Claims 2-5 depend from allowable independent claim 1. Therefore, Applicant respectfully requests that the Examiner also withdraw the obviousness rejection of claims 2-5 at least for this reason.

CONCLUSION

Applicant respectfully submits that the above-captioned patent application is in condition for allowance, and such action is earnestly solicited. If the Examiner believes that an in-person or telephonic interview with Applicant's representatives would expedite the prosecution of the above-captioned patent application, the Examiner is invited to contact the undersigned attorney of records. Applicant believes that no fees are due as a result of this submission. Nevertheless, in the event of any variance between the fees determined by Applicants and those determined by the U.S. Patent and Trademark Office, please charge any such variance to the undersigned's Deposit Account No. 01-2300.

Respectfully submitted,


Timothy J. Churn
Attorney for Applicants
Registration No. 48,340

Customer No. 004372
ARENT FOX, PLLC
1050 Connecticut Ave., N.W., Suite 400
Washington, D.C. 20036-5339
Telephone No. (202) 715-8434
Facsimile No. (202) 638-4810

CMM/TJC:klf